



6871 01/29/07 \$3,000.00

OFFICE OF  
INSURANCE COMMISSIONER

In the Matter of

)  
) No. D 07 - 34  
)

Foster Dahl Miller & Associates, Inc.,

) STIPULATION AND ORDER  
) LEVYING A FINE  
)

Licensee.  
)  
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**STIPULATION BY AGENT**

Foster Dahl Miller & Associates, Inc., ("licensee") hereby stipulates to the payment of a fine in the total amount of \$ 5,000, with \$2,000 being suspended if licensee meets all requirements of this order. Based on the following facts which are hereby acknowledged, licensee further stipulates and agrees that it will comply with Washington insurance laws and regulations in the future.

1. In at least one hundred (100) cases, the licensee allowed individuals, who were only licensed as agents, to charge a broker fee by using an ink stamp signature of the only broker affiliated with the licensee. The broker fee was charged in addition to commissions from the issuing insurance company. These are violations of RCW 48.17.270 regarding agent-broker compensation. Having an agent act as a broker on behalf of the licensee violates RCW 48.17.180.
2. Licensee's premium account does not provide an adequate accounting trail of the transactions. This is a violation of WAC 284-12-080 (9) requirements for separate accounts.
3. In at least fourteen (14) cases, the licensee allowed licensed agents to sell insurance policies for companies where the licensees did not hold a current appointment. These are violations of WAC 284-17-420 appointment, affiliation and renewal procedures.

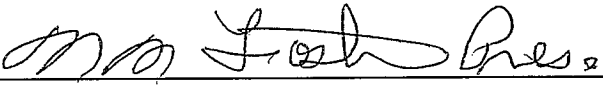
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The licensee has engaged in practices that are not in accord with the standards set out in the insurance code of Washington. Accordingly, the licensee enters this Stipulation to the following Order voluntarily and with the understanding that such fine is in lieu of any suspension or revocation of the licensee's license for such conduct. The facts described above, and the fact of this stipulation, will be considered by the Commissioner in any future administrative actions regarding licensee. Licensee acknowledges that if the conditions set forth in the Order are not fully met, the Insurance Commissioner may revoke its license pursuant to RCW 48.17.540(3).

Signed this 17th day of JANUARY, 2007.

By:   
Foster Dahl Miller & Associates, Inc.  
Norman M. Foster, President

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ORDER

Pursuant to RCW 48.17.560 and the foregoing Stipulation, the Commissioner hereby imposes a fine in the amount of \$5,000 upon Foster Dahl Miller & Associates, Inc. \$3,000 paid now and the remaining \$2,000 shall be suspended if Foster Dahl Miller & Associates, Inc. meets the criteria set out above.

The fine, \$3,000, shall be paid in full within 30 days from the date of this Order. Upon failure to pay the fine or failure to comply with Washington insurance laws and regulations in the future, the Commissioner will revoke the license of the licensee and the total fine, \$5,000, will be recoverable in a civil action brought on behalf of the Commissioner by the Attorney General.

ENTERED AT TUMWATER, WASHINGTON, this 17<sup>th</sup> day of January, 2007.

MIKE KREIDLER  
Insurance Commissioner

By

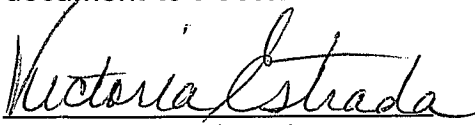
  
JOHN F. HAMJE  
Deputy Insurance Commissioner  
Consumer Protection Division

Examiner: Mary Manum

**DECLARATION OF MAILING**

I certify under penalty of perjury under the laws of the State of Washington that on the date listed below, I mailed or caused delivery of a true copy of this document to **Foster Dahl Miller & Associates, Inc.**

Dated: January 17, 2007  
At Tumwater, Washington

  
Victoria Estrada

**FOSTER DAHL MILLER & ASSOCIATES, INC.**

P. O. Box 816, Ephrata, WA 98823  
509-754-5253

January 24, 2007

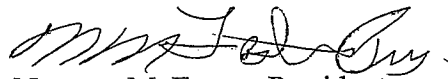
Mr. Hoang Thoong, Operations  
Office of Insurance Commissioner  
P. O. Box 40257  
Olympia, WA 98504-0257

Re: Stipulation and Order Levying a Fine  
D 07 - 34

Dear Mr. Thoong

Enclosed is our Foster Dahl Miller & Associates, Inc., Check No. 7620 in the amount of \$3,000.00 in settlement of the above matter.

Sincerely



Norman M. Foster, President  
Foster Dahl Miller & Associates, Inc.

NF/h  
Enclosure

cc: Michael R. Huske  
Victoria Estrada